

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Feb 22, 2019

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

MIGUEL REYES GARCIA,

Defendant.

No. 4:15-CR-6049-EFS-21

**ORDER GRANTING
DEFENDANT'S MOTION TO
EXTEND SENTENCING
DEADLINES**

USPO Action Required

Before the Court, without oral argument, is Defendant Miguel Reyes Garcia's Motion for Extension of Time to File Objections to PSIR and Sentencing Memorandum, ECF No. 1136, and related Motion to Expedite, ECF No. 1137. Counsel for Mr. Reyes Garcia, Ken Therrien, requests an extension of the sentencing filing deadlines and avers that the Government's counsel, Stephanie Van Marter, does not oppose this request. *Id.*

I. PROCEDURAL HISTORY

The Government filed the Second Superseding Indictment on December 6, 2016, charging Mr. Chavez with the following: Count 1, conspiracy to distribute 500 grams or more of methamphetamine, 5 kilograms or more of cocaine, 1 kilogram or more of heroin, and 400 grams or more of N-phenyl-N Propanamide, in violation of

21 U.S.C. § 841(a)(1), all in violation of 21 U.S.C. § 846. ECF No. 105. Defendant
plead guilty on October 10, 2018. ECF No. 993. Sentencing is set for March 20, 2019.
ECF No. 1105. On February 14, 2019, the U.S. Probation Office filed the Draft
Presentence Investigation Report. ECF No. 1130.

Defense Counsel states that he needs an extension to March 4, 2019 to file
objections to the PSIR and sentencing memorandum. ECF No. 1136. The objections
and memoranda are due on February 28, 2019. *See* ECF Nos. 994 & 1105. Defense
Counsel states that he was recently hospitalized with an ear infection, which kept
him out of the office on and off for nearly a week. *Id.* Additionally, weather conditions
have made it difficult for Defense Counsel to schedule time to travel to the Benton
County Jail with an interpreter. *Id.* The Government has no objection to Defendant's
request for an extension. *Id.* Probation has informed the Court that they do not
oppose the request for an extension.

II. CONTINUANCE GRANTED: AMENDED SENTENCING SCHEDULE

Having reviewed the pleadings and the file in this matter, the Court is fully
informed and grants the request for an extension. Counsel and the U.S. Probation
Office are expected to carefully read and abide by this Order and such provisions of
the prior Order Regarding Schedule for Sentencing, ECF No. 994, that have not been
superseded hereby.

IT IS HEREBY ORDERED:

1. The Defendant's Motion for an Extension of Time to File Objections to
PSIR and Sentencing Memorandum, **ECF No. 1136, is GRANTED.**

